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Attorney Docket No.: A-65680-4/RMS/BTC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOV 03 2000

In re application of: Haaf *et al.*

Serial No. 09/181,027

Filed: October 27, 1998

For: *Methods and Compositions Utilizing Rad51*

Examiner: J. Brusca, Ph.D.

TECH CENTER 1600/2900

Group Art Unit: 1636

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231.
Date: 25 Oct 2000

Signed: 
Brian Clarke

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 115

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Applicants have carefully considered the Office Action mailed April 25, 2000 in connection with the above-captioned application. Reconsideration of the Claims in light of the amendments and remarks that follow is kindly solicited. Accompanying this amendment is a Petition for Extension of Time, containing a check for payment of the appropriate fee, extending the period for response by three months, to and including **October 25, 2000**.

AMENDMENT

In The Claims

Please amend the claims as follows:

- DI
40. (Twice Amended) A pharmaceutical composition comprising:
- a) nucleic acid encoding a Rad51 proetin;
 - b) nucleic acid encoding a tumor suppressor protein; and
 - c) a [physiological] pharmaceutical carrier.